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HUNG AT

SALEM, OREGON, MAY 17, 1865,

FOR THE

MURDER OF DANIEL DELANEY, SEN.,

ON

THE 9TH DAY OF JANUARY, 1865.

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GEORGE P. BEALE.

About the 1st of January, 1865, Baker came into my saloon. I spoke something about Delaney's money ; said, as near as I can recollect, that old man Delaney had a large sum of money, and it was doing no one any good ; and I also said that the old man ought to divide his money with his boys. I think I said, it was a wonder that some one did not rob the old man, as the country was full of robbers. Then something was said about what an easy matter it would be to rob the old man of his money—by myself or Baker ; I do not recollect which. I said that I thought I knew where the money was. Then Baker proposed to go and get the old man out, catch and tie him, and take what money we wanted, but leave the old man plenty to live on, even the largest portion. Considerable talk of that kind passed between us : do not recollect everything that passed between us on the subject at that time.

On the Thursday before this transaction (the murder) I went out to my farm, but came to town the next day. Adkins had some horses which he wanted to send out to Mr. Taylor's pasture. I told him that I would take them out, which I did the next Sunday.

Mr. Pearce Mahaffey started from town on Sunday morning with me ; went as far as the upper bridge on Mill creek ; there his horse mired and lamed one leg. He had to return to town.

I left William Taylor's house on Monday, a few minutes before eleven o'clock ; went by Stipp's ; close by Olinger's, leaving him on the right ; went close to Rector's, leaving him on the right ; came in the road close to a white house that stands close by the bridge.

I will here speak of young Witzel : It is painful to me to say that that young man either saw some one else or swore a falsehood.

About the time I got to the road, I saw two men close to the mill-dam, one on horseback, and the other, standing by a horse, shooting toward the creek. I walked down the creek, to see if I could get across the slough to the bridge, and the men went toward town. As I came back, I saw Baker coming. Baker and myself went up the creek, and close by it, going to Herren's bridge. I was afoot, and Baker on horseback. Baker went to the bridge and found it was gone, when he returned, met me, and informed me of the same. We then went back to Rector's bridge. I pulled off my boots and waded the slough. We then went through Dan'l Clark's pasture, I wading another slough ; passed by Clark's house and out at the far side of his pasture, next to Raymond's ; went to the left on a ridge in the timber ; stopped here and ate a bit of dinner that Baker had in his pocket ; went directly through the timber to the Eyres place ; went down a hollow, crossed through fir timber to where the horse was hitched. This was about six o'clock in the evening. We passed along the fence toward the house until we came to a hole of water. There we got some black bark from a fir tree, and blacked our faces ; from there went to the house, as described by witnesses. Before leaving the horse, Baker and I both drank some spirits from a bottle that Baker had brought with him. Baker had been drinking very freely before that, and was nearly drunk. Oh ! would to God that I had died there, as I expressed a wish at the time. I will say that the death of old man Dela-

ney was unintentional and accidental. We reached the gate, Baker on the inside and I on the outside. The intention was to call the old man out, catch and tie him, and then get the money. I called him out. Baker was to catch him, and then I was to assist in tying him. Baker had set his gun by the fence. When the old man came out, he had a knife in his hand. Baker, seeing it, started to run toward his gun. As he ran, I thought it was his intention to shoot, and hallooed to him to not shoot; but he, misunderstanding me, thought I said "shoot," instead of "not shoot." I hallooed to him three times to not shoot, but he said he thought I said "shoot" every time. The first shot struck him in the left breast, and he fell on his hands and knees. Baker then shot at the dog. I think a scattering shot from the charge intended for the dog struck the old man in the head. I ran and caught the old man, and asked him if he would have some water, but he did not speak. He died almost instantly. I then drew my pistol and told Baker his time had come, for I intended to kill him then and there. He asked me why I told him to shoot then. I saw his mistake, and told him better. He fell upon his knees and cried like a child.

I laid the old man straight, and crossed his hands. By this time the little boy unlocked the door, which the old man had locked when he came out, and went into the house, taking the dog with him, and locking the door after him. We tried to push the door open, but could not. I picked up a stick of wood and broke the door in. I broke open one trunk and found some money, and in a purse I found some more money. Baker went up stairs; said he did not find any money. I did not go up stairs. We then left for town. I told the boy to go to David Delaney's in the morning, and tell him.

We went to the horse, as sworn to by Headrick in court. I went on foot. Baker got on the horse. We came home, as sworn to in court, Baker drinking some on the road. Saw those

three men in Davidson's lane, as sworn to in court. When we came to the creek, where one witness said there was a rail broken on the fence, there Baker brought his horse into Strong's pasture, and we went down the creek to an old cabin; there I gave Baker some money—five hundred dollars (\$500). I was afraid to give him more, as he was somewhat under the influence of liquor. We then came a short way together, and I left him and went home.

When I got home my folks had not gone to bed; it was between nine and ten o'clock. I went to the back door to wash, but could not find any soap. I crossed over the street to Baker's, and washed back of Warner's paint shop; then went home. By this time my folks had gone to bed. I knocked at the door; Mrs. Taylor got up, lit the lamp, and opened the door and let me in. I looked in the glass and saw some black on my eye; went to the back door and washed; came back in the house right away and talked awhile with my wife; then went to the kitchen and ate some bread and butter; then went to get some brandy; walked up street a short distance; came back without getting any brandy; then went to bed.

My usual time of getting up in the morning was six o'clock. Next morning the clock struck six, when it was only five; so I got up one hour sooner than usual; went to the saloon about half-past five; found the old Dutch tailor walking up and down the pavement in front of my saloon. I unlocked the door, went in, and locked the door after me, for the purpose of keeping the old Dutch tailor out until I lit the lamps and made a fire.

It is the duty of John G. Wright to inspect all chimneys, stove-pipes, etc., in town. A few days before, he came to my saloon to look at the chimney, and drew the pipe out of it, and that morning, the pipe being loose, it had come out again and was smoking. I went up stairs with a candle and fixed the pipe. I speak of this for two reasons: First, there was some-

thing said by the old Dutch tailor about me being up stairs—supposed to have been stowing away money. There was also something said by a Mr. Evans about seeing cob-webs on my back. This was on Tuesday morning. The room that the stove sits in, is a shed room, and to get to the chimney above I had to stoop on account of the shed being so low; and that was the way that I got those cob-webs on my back. This was, as I understand, the talk on the streets, and I hope this short explanation will satisfy the people on this point. I will say something further about this Mr. Evans. He was indebted to me some forty-odd dollars, and went off and forgot to pay before he left.

In reference to my wife's family—as it is well known that my mother-in-law, little sister-in-law and little brother-in-law testified in my favor in court, and it is believed that some of them swore false. One of my strong points in making this confession is to justify those who are justifiable and condemn those who ought to be condemned. I will give the evidence and the circumstances as they were, then the people can draw their own conclusions. First, Mrs. Taylor swore that the hat that was exhibited in court hung on a nail in her bed-room all the time that I was gone—Sunday and Monday. That was not true. Still she did not swear to a lie. I got a hat belonging to Adkins, a man that was in my employment at that time, and living in my house, a hat similar to the other. I took the hat that hung on the nail down, put this one in its place, carried the other one over to the saloon, went up stairs and stowed away the hat that I was wearing and wore the black one off. When I came back I changed the hats as they were before, unknown to any of the folks that were in the house. If that was swearing to a lie, may God punish me for it and not her. She swore that I wore a watch with a steel chain. That was correct, although I had on, when arrested, a watch with a ribbon guard. That was my wife's watch. I took it that morning to get a crystal put in it;

the same I told the sheriff the next day after my arrest. The same day my wife came to the jail, saw the watch, and told the sheriff that was her watch. The sheriff will say this is true, and will also say that that watch had no crystal.

The little girl swore that she combed my hair on Sunday morning, and placed on my head a white hat. That was true.

The boy testified to the hat-band ; said that the hat had none on when he saw it out at the farm. It had no band on ; that is true. About the time he swore to, or a little before that, I was gathering apples, and pulled the band off that hat on an apple limb, and afterwards sewed it on myself. That is the same hat that I wore, and that is the same band that was found by Ben Vaughn where the horse was hitched. I hope the people will analyze this matter and consider well, for death is nothing to me in comparison with the reputation of innocent persons.

I will now go back to where I left Baker, close to Dan the butcher's slaughter-house. I came from there straight home. Came over the hill by Jo Smith's ; crossed the creek on the foot bridge ; came down to the new grist mill race ; put what money I had under the plank race close to the dam ; left it there until next evening ; went about six o'clock, raised the money, and went up the creek by the brewery, by Mr. Dillon's, and by Mr. Waller's house—the one that stands in the field, close by the creek ; about one-fourth of a mile beyond that, in the brush, I buried the money in a cigar-box in the ground. The amount of money was fourteen hundred dollars, in twenty dollar gold pieces, and one old silver dollar that was battered on the edge.

On Monday, the first day of my preliminary trial, I told Caton where that money was ; told him to go and get it and put it away until I told him what to do with it. He came to the jail, next day, I believe, and said he and Logan went, but could not find the money. He said that he and Logan came near having

a fight. Logan accused him of playing him ; said that he knew where the money was, but wanted it all himself. He said that Logan told him that he was as great a thief as I was. Caton said he tried to get away from Logan and go alone, but he could not get clear of him ; he watched so close. He then warned me not to tell Logan where any money was, for he would raise it and keep it. I had not told Logan where any money was. I told him this much Tuesday morning, second day of my trial in the court room.

Logan told me that I. R. Moores and many others had gone over the long bridge to look for the money. He said Dray had told that he had seen me go over the bridge the Saturday before, with a box, which he thought had twelve or fifteen thousand dollars in it. He then asked me if there was any money over that way. I told him there was not. He then asked me where there was any money, and I told him up on this side of the creek. He asked me what kind of money it was. I told him twenty dollar pieces. He said that was good ; he was afraid there were some of those d—d old square fifty dollar pieces. He wanted me to turn Caton & Curl off, and said they would get all the money, and then I might hang and be d—d ; that all they cared for was the money, and not for Baker or myself. I was afraid of Logan at that time, but not of Caton & Curl. I soon after that altered my opinion of Caton.

The next day, (Wednesday,) I gave Caton new directions and a diagram of the place where the money was. After that, he and Curl both told me that they had gone as directed and found the money, and had brought the cigar-box that it was in, broken it in small pieces, and thrown it in the mill-race.

Up to this time, I had told Caton that there was no other money ; but he was not satisfied, and did not believe me. On Thursday, Caton and Logan came to the jail. Caton went in the cell with Baker, Logan into my cell with me. Logan, some-

what under the influence of liquor, said to me, as soon as we entered the cell, "Now, d—n you, you are guilty ; tell me where every dollar of that money is." I got up, took hold of him, and told him that if I had anything to kill him with, I would take his life in less than a minute. He then tried to smooth it over, and said it would take money to do anything with my case ; that these small scatterings did not amount to anything, (making gestures with one hand over the cell floor). He then said he could do anything if he had money, and wanted to know if I could not give him four or five thousand dollars. I told him that he was drunk, and I did not want to talk with him. We went out of the cell. Caton came to the cell door two or three times while Logan and I were in, inquiring of Logan if he was not ready to go, and showing signs of uneasiness. Caton went out of the jail before Logan, and told the Sheriff that he had enough of that d—d stuff. These were my first suspicions of Caton. I believe he thought I was telling Logan where the money was. After they were gone, I told the Sheriff that my attorneys were throwing off on me. He said he thought not. I told him (Headrick) that I had a great notion to turn all of my attorneys off, and go before the court without an attorney.

About this time I told my lawyers that I thought I had better make a full confession, give the Delaneys the money which was justly theirs, as I had no right to it, and bring myself before the people just as it was, and to the mercy of the court ; but they would not hear to such a thing. They said they would have me clear if they had to tear down the jail ; and told me never to confess anything ; that they could bring me out with money, if nothing else.

I told Caton about some money, which I will speak of hereafter. Caton very often came to the jail for no other purpose than to tell me that the people were ready to mob me at any

time ; if they ever got one word of evidence that I was guilty, they would hang me, and him with me.

Now something about my trial. From what my lawyers told me, I made no calculation on having my trial here ; for they told me there would be no trouble in getting a change of venue ; so there were no preparations made for a trial ; and I never knew any better until a few minutes before the trial commenced. When I went into the court house for trial, they told me that they had papers made out for me to turn my case over until the June term of court, but had none for Baker. I refused to consent to it unless they would get up papers for Baker. So I was forced to trial, as I said before, without preparation. After my trial, and after sentence was passed, I think that about the last words that were said to me in the court house by Caton and Logan were about money—that thirty thousand dollars. They talked to me separately, and wanted me to tell them all about the money, so they could raise it for the benefit of my wife ; and Logan said he could hire men, if he had money to do it with, to come and give the sheriff and every one in the jail chloroform, and, with false keys, unlock the cells, turn us out, disguise us, and take us out of the country. Caton proposed that I should give him a diagram, and give every particular, making certain ciphers, to show where the money was. This he wanted me to do in the jail, at my leisure. To all this I made no reply. Caton's and Logan's great fear was that the Delaneys would get some hint of this money and find it before it could be raised. Caton came to me in the jail, and wanted this map, or diagram, making the pretense that they wanted to take the case to the supreme court. This was in the presence of the sheriff, and since sentence was passed.

I will now speak of some of the witnesses. First, Mr. W. S. Barker. He swore that I told him I was at Swartz' mill. That was not so. I told him I started to go there, but did not tell

him I went there. Neither did I tell him I started to go there on the 9th of January. I do not think Mr. Barker swore a lie ; but he was mistaken, or he never would have sworn what he did. Barker came into my saloon on Tuesday morning. I was stooping down, cleaning my boots, and conversation commenced about the mud on my boots. I do not think we talked more than two or three minutes ; and it is well known Mr. Barker is a little hard of hearing. I would say to Mr. Barker, to be careful after this how you testify when there is life depending.

J. E. Parrott.—This man is what I call a Sunday preacher. What I mean by a Sunday preacher is this : One who thinks himself a very good man on Sundays, while his neighbors think him not a very good man all of the week days. This Mr. J. E. Parrott swore positively to a casual conversation that took place between him and myself, some six or seven years ago, about old man Delaney's money. That conversation may be true, as I do not remember so well as Parrott. But there is one thing that he swore that was not true. He swore that there never was any difficulty between him and myself, only something about rent and dividing the oats. It was known by the neighbors that we had a difficulty about family matters, and he knew it when he swore differently. If his memory was so good as to remember everything that was said about old man Delaney's money, he could not forget this, unless he thought more of the money than he did of his family. I speak of this to show what excitement, prejudice and hatred will lead a man to do. Farewell, Parrott ; my last words to you are these : If ever you expect to enter the gate of heaven, you must learn to be a good man Monday as well as Sunday.

Let me here say something about another one of these strange kind of preachers. That is a Mr. Dray, of Salem, who was once a very zealous Methodist preacher. But, poor fellow, he has fallen from grace ; even far below grace. This man did

not swear in court, but caused a great excitement throughout the town and country. He reported that he saw me go, the same day of my arrest, over the long bridge, with a box under my arm, which he thought undoubtedly had money in it—twelve or fifteen thousand dollars. His ideas about money are about the same as they are about religion. That amount of money, in gold, would be a very good load for a man to carry in a box under his arm. This is a positive falsehood, and Dray knew it was when he was telling it; and I am well satisfied that the people think so now, for it is well known that this Dray never tells the truth when he finds a lie will suit as well. He will not only lie, but will take things that do not belong to him. It is well known that two-thirds of the wood that he burnt this winter, that he took from D. W. Jones' and my wood-shed when we were asleep. It was my usual custom to go once every day to the new grist mill and get a basket of shavings to start the fire in the morning. That day, as I was going after shavings, Dray walked with me from my house to the blacksmith shop, on the corner, between my house and the mill. I had a basket on my arm, and Dray knew I was going after shavings. One more word, Dray, then I am done with you. Your religion may do such a man as you to live by, but it will not do for a good man to follow. I tell you when you come to die it will not be worth two beans.

There is another preacher that had something to say about this matter—Mr. Walrod, who lives in Salem, and is in good standing in the Methodist Episcopal Church at this time. He pretended to be out in the country looking for a horse; but that was not the case. Instead of looking for a horse, he was stealing a horse, which he did from Mr. Thomas Cross, a well known citizen of Salem. He stole the horse, brought it to town, cut its mane and tail off, put his brand on it, and then sent it into the country to a pasture. Mr. Cross found out the truth about the

matter and went and told him that that horse belonged to him. He said not, and talked very saucy. Cross told him if he did not produce the horse very soon he would put the law in force against him. He soon brought the horse, gave it to Cross, and was glad of the chance. At the very time, and at the same place, that this preacher stole this horse, he told a Mr. Harpole that Baker and I were guilty of this robbery, and had, no doubt, got a large amount of money; and some day we would be turned out of jail, and the sheriff would come out with a large amount of money. I do not speak of these preachers with any degree of disrespect toward the Methodist or any other church. I do it to show how differently a man will act from what he talks. These men should not be a disgrace to the church or preachers of any denomination, but to themselves only. They should bear their sins and answer to God for the same.

One or two more witnesses that I wish to speak of: First, a Mrs. Greenwood. She swore that I told her that I would go and rob old man Delaney of his money, if I could get any one to go with me. I think that is not true. I am certain it is not so. I think that she was a good deal like Dray; wanted to tell something, and that was the best story she could fabricate. She does not have the best name for truth and veracity amongst those that know her. She is considered, by those who know her best, to be an obscene woman.

One more witness that I wish the people to know who she is and what she is, and that is a Mrs. M. J. Pomeroy, from Walla Walla, an old resident of Salem. This woman's evidence was in reference to an anonymous letter that was left on her husband's work bench. The letter was found

by Pomeroy, shown to I. R. Moores and others, and written by an unknown person. The common substance of that letter was a large amount of money belonging to an old secessionist, and wanted Pomeroy to go with him and rob him of his money. Mrs. Pomeroy testified that I told her, when we were gathering strawberries, that I wrote that letter, and wanted her to persuade Pomeroy to go with me and get the money; but she refused to do so, and threatened to tell her husband; he was no such a man, and he would do nothing of the kind. She also said I told her that I had reference to old man Delaney and his money. This evidence is false, and I will give a few facts to prove it so: First, she swore that she liked me very well, and I came to her house afterward, sometimes in the evening, but always some one with me. I wish such was the case; but, I am sorry to say, it is not so. Better for me if I had never gone to her house. It is well known that many gentlemen of this town went to see her of evenings alone, when her husband was gone. I could name some of them, but they are well enough known. About the time this letter was left on the work bench, this Mrs. Pomeroy got badly stuck after a Mr. William Pettyjohn, and he promised to run off with her and marry her. They had all the arrangements made and the time set for their escape. The arrangement was, that she intended to poison Pomeroy and her children before hand. She did poison her children. One died, and the other two came near dying. The way I came to find this out, I went to her house one evening and found this man Pettyjohn in bed with Mrs. Pomeroy. There is another gentleman; but I will not mention his name. He is a young married man in the mercantile business; has a

partner, and owns the half of a brick store on Commercial street, Salem. Mrs. Pomeroy told this mercantile gentleman that I had done her a great wrong when she was a girl, and before she was married, and she intended to have revenge if it took her the last days of her life. This evidence I wished to have before the court. I sent Caton to see this man. Caton said that he told him he would not come before the court; and if I forced him to come he would swear something against me. This woman swore in court that she had me in her power. Pomeroy and his wife were sent for at Walla Walla to swear against me. Pomeroy told William Ruby, a well known citizen of Salem, before he came down from Walla Walla, that he and his wife were going to Salem to get revenge from Beale. He told Ruby, at the same time, that I was the cause of all the scandalous talk about his wife when they lived in Salem. If this Mr. Pomeroy had been a good, honest citizen, and Mrs. Pomeroy a nice, virtuous lady, why did not they inform the people of this thing at the time they found this letter? Is there an honest man in Oregon that could love and respect his wife when he knew that she was friendly with a man that wanted her husband, through her persuasion, to do an unlawful crime? If such should be the case, they should not be allowed the privilege of citizenship. I think it is plain to be seen that this letter was written by Mrs. Pomeroy and Pettyjohn, for one of two things: First, Pettyjohn expected Pomeroy to go with him and do the robbery. When he found that he would not agree to do so, and had shown the letter to Moores, then I think he and Mrs. Pomeroy thought they would put the whole thing on my shoulders. This Mrs. Pomeroy is a bad and dangerous woman. I honestly con-

ness that I am to blame for my intimacy with her. I have nothing further to say against any other witness that swore against me.

I desire now to say something about the Delaney boys. They have been fair and gentlemanly. Some of them came to the jail to see me before my trial, and all of them, except George, have come to see me since my sentence; and George went to his home at Walla Walla soon after the trial. They have done nothing but what was honorable and just, and within the bounds of the law. I have taken a part in doing them a great wrong, and I would to-day give my right arm, my life, or anything that I could give, or do, in this world, if I could make that wrong right. I hope God will forgive me for this error, and I hope the Delaney boys will forgive me.

I will now tell what I know about the money. First, the fourteen hundred dollars, in twenty dollar pieces, and the old silver dollar, battered on the edges. As I said before, Caton was the only person that I told where the money was. Caton and Curl told me that they had got that money, and had found it just as I had told them. Caton told me, in the presence of Curl, that he had thrown the old dollar in the river, or creek—I do not remember which; but one or the other. I often spoke to Caton about that money, and told him not to disturb it, and I never knew any better until Judge Strong came to the jail, in company with Logan, the first week of the court, and said Logan had spoken to him to assist in my trial, and wanted to know if I could make him secure in his pay. I told him I could for any reasonable fee. Before he left the jail he said he would come back the next day and see what kind of arrangements could be made. But I have never seen

him since. Before leaving the jail, Logan whispered to me and said, he had told Judge Strong that he thought I could manage to pay him some four or five hundred dollars. I asked Logan if he thought that a reasonable fee. The next morning, Caton came to the jail and said that Strong was doubtful about his pay, and that that thirty thousand dollars must be raised; that Strong had been making inquiries, and found that my land was held by a judgment for as much as it was worth. I told him I would have to make use of some of that fourteen hundred dollars. He then said, *they made so d—d much fuss about the money, that he had to divide it between Logan, Curl, and himself!* This was the first that I knew that that money had been disturbed. I spoke sharply to Caton; told him that he had no right to disturb one dollar of that money. He said nothing further about the money, and left the jail mad. The next thing that I heard of Judge Strong, he had left and gone to Portland.

Since my confession, I told the sheriff and John Davis where the money was buried. They went to the place, taking with them Geo. A. Edes, and found everything just as I had told them. Some blue paper was found on the ground that had been in the cigar-box, but the box and money was gone.

Now, something about this thirty thousand dollars, so often spoken of. This is all a fabrication of my own. As I have before said, my attorneys, like everybody else, thought there was a large amount of money somewhere; and money was what they wanted. I first told them the truth about the money, but they did not believe me. I thought that by telling them of this money they would attend to my case better, expecting they would get more money. I told Logan and Caton that Baker knew nothing

about this money; that I had got it when he was not in the house. I told them that when we left the house, Baker went direct to the horse, and that I took a circuitous route to a place I had prepared beforehand. I told them I had dug a hole, carried away the dirt, and brought stone to fill up the hole, instead of dirt. I first told Caton about this supposed money, and afterward told Caton and Logan together. Logan wanted me to tell the place, so he could send a man, by the name of Knott, that he had brought up from Portland; said the man was well acquainted with the Delaneys, and I think he said he was out at Delaney's at that time. I told him that the money never could be found unless I could go myself, and if I never got clear, the money would never be found. He said the squirrels would dig it up. I told him about bringing the stone and filling the hole with it. It was proven in court that both our tracks went the same direction from the house to the horse. Caton acknowledged in the jail that the above statement was true. That shows that money matter to be false.

To show the great anxiety of my attorneys to get the money, I will here state one thing. They told me that they had got two respectable citizens of Salem to swear that they saw me in town between six and seven o'clock in the evening, on the 9th of January. I did not believe any such thing. I knew it was false when I heard them mention the men's names. Whenever they desired me to tell them where the money could be found, so they could go or send for it, I got rid of them the best way I could. The first week of court, Logan and Caton came and told me that those two men would not come before the court unless they got big pay for it, and that beforehand; that

they could nor would not stand the censure of the people unless they got the money first. They told me that one of these men said that if I would give directions where to find the money, they would raise it, and this man would take it to San Francisco.

When I first made this confession, my attorneys were at the Yamhill circuit court. I sent Sheriff Headrick and William Delaney to see them, and tell them what I had said about the money. They (Headrick and Delaney) say that when they first spoke to the attorneys (Caton & Curl) about the money matter, telling them that Beale and Baker had made a confession, and had somewhat implicated them with receiving what money they took from Delaney, and that they (Beale and Baker) did not wish to get their attorneys into a difficulty, but wished them to come to the jail and talk the matter over before the confession came before the public, Curl replied that that was all right; that they would make it all right; and then Caton spoke and said, excitedly, that they got no money; that Beale and Baker were telling d—d lies, or something to that effect. Then the conversation stopped between Caton and Curl and Headrick and Delaney.

The next day Headrick and Delany returned to Salem; the attorneys (Caton and Logan) coming with them. Curl went to Portland. Caton and Logan came to the jail. Logan said he got some money, and it was mine. Caton denied that he had raised any money. Before he left the jail he said he had some two thousand dollars of my money, but had not appropriated one dollar of it to his use. He would not say much about anything. When I asked him a question, he would refer me to Mr. Logan. This conversation was in the presence of George A. Edes,

William Delaney, and the sheriff. Caton and Logan then set about to embitter the people against me, telling that which would suit their cause best, and published an article in the *Arena*, which they wanted to appear as an editorial. I will say before God and man that it is false throughout, and one of the most abominable things that ever appeared in any paper. Not only did they publish this and other falsehoods, but changed an article, to suit their own case, that I sent to the *Arena* for publication ! Caton, after telling every one that would listen to him, that our confession, in reference to the killing of Delaney and the money, was false, now comes to the jail and says to me that he did not wish to do me any harm ; that he was willing to do anything for me he could ; that all he wanted of me, was to say that I told him that that money belonged to me ; that the way the thing was it put him in an awkward position before the people ; that if I would say that I told him the money belonged to me he would do all that he could to help me.

I have had something to say about Sunday preachers. I am sorry to say, Tom, that you were, at one time, a very religious preacher of this kind. You are the fourth one that has had something to do or say about my case ; and every one of you have been rotten and false. You have not only lied and betrayed me, but you have done the same thing to my wife. You cannot betray any further ; but persist in telling the most barefaced falsehoods that your ingenuity can fabricate.

Since we have been in jail, all kinds of persons have come to see us, and for all purposes. Some for religious purposes, some for company, others for curiosity. Persons that have known us for years, would come to see if we were not or had not turned into some wild African animals, that had to be locked in iron cells with balls and chains fastened about our person ; stand, look and gape, thinking that if we were to break jail, the town would be pillaged, stores and other places that have money would be robbed and the people murdered. Ladies have come

on the outside, stood on their tip-toes and looked through the grates to behold the monstrous and hideous animals that were chained within; thinking, if not for those iron bars, they would be devoured in a minute. Other ladies have come on the inside of the jail, talked kind, and sympathized with us, believing that we were human beings and not animals, and hoping that God might have mercy on our souls.

Dr. McAfee, old man Durbin, Jack Donaldson, John Davis, and some few other gentlemen, have visited us in jail, been kind and good to us, and sorry to see us in our distressed condition.

Revs. Mr. Waller, Mr. Dickinson, and the Catholic Priest have been our principal advisers in religious matters. They are of different churches, and of different opinions. I am not able to know which of them is right. I differ with them all. They have their opinions; I have mine. Baker is inclined to believe with them.

Something now about my trial: We had a just and impartial one. I think the court and prosecuting attorneys did their duty. I have nothing to say against any of the jury. In my judgment they gave an impartial verdict. As for Judge Boise, he showed no partiality on either side; but I do think, under existing circumstances, that we ought to have had a change of venue. We asked it; and I think we had just cause to do so, as the people were greatly excited and very much prejudiced against us.

I have a few more words to say about my attorneys: Curl did his duty, as far as I know, through the trial. His statement about the money is not correct. Logan worked well during the trial. I think he did all that he could to clear us. He might have prepared himself better, if he had not been so eager to get more money. His statement about the murder and the money is not correct. Caton, I think, at first, intended to do what was right. After he got the money, my opinion is that Logan put him up to do what he did. It is evident that Logan has kept Caton between him and danger; that or something else has caused Caton to do worse than either of the others. He has deceived me; he has deceived my wife. He has lied to me; he has lied to my wife. His statement about the murder

and money is not correct. I would now say to my attorneys, that I always told them that money belonged to Delaney, and it is Delaney's money, and it is my wish that they give the money—one thousand four hundred dollars that they got of me and five hundred dollars that they got of Baker—to Delaney. I am well satisfied that they got Baker's money. I do not make this statement, in reference to my attorneys, through any spite or malice that I have toward them. They are facts, and they forced me to them. I have given them every opportunity that I had in my power to make this matter right. They refused to do anything. The money they have got, and it is money they want. This matter can be summed up between these attorneys and myself in these words: I stole the money from Delaney, *the attorneys stole it from me!* May God have mercy on my souls.

This confession was penned by myself, with the consent of Baker to nearly all of it, and we both agreed and acknowledged before witnesses that it was true. Now comes Baker, at this late day, and makes another confession. His reasons for this are, first, that it was false in some things, and put more of the blame on him that he was entitled to, and that I wished to take the blame off myself and family and place it on him and his family; second, that he wished to clear his conscience, make his peace with God, and be ready to try the realities of another world. My time is short—being only seven more days—and I have but little to say about Baker's confession. I could say a great many things that would conflict with his statements, but I will only mention a few facts. He has been told by several persons that the people were prejudiced against me, and it was the opinion of every one that he was not to blame; that I had persuaded him into it, and laid the plans. I will say that Baker's statement, where it differs from the one written by me, is not true. He must have been so drunk at the time that he did not know what occurred, or he made the confession for some other purpose than the one stated. He says I shot three or four times in the house. I will say to every one, go and see if you can find any bullet holes in the house.

Samuel Headrick.—His treatment toward us has been

commendable. I have found him to be a gentleman in every respect. He has always been good and kind. Our living has been as good as the market could afford, and we have had nice, clean, comfortable beds. He did for us every favor, great or small, that we would ask of him, and a great many that we did not ask. I do say that I think he did everything in his power, to make us comfortable. He always talked kind and pleasant. I have never heard him speak a cross word since I have been in jail, and I must acknowledge that I have given him some cause to do so. He has treated my wife with the greatest kindness; giving her every privilege the law would grant. He is a man that has a good heart and tender feelings. Mrs. Headrick and Josie, her sister, have been as good to us as sisters could be to their own brothers. Mrs. Headrick's conduct toward my wife has been more like a sister than otherwise, ever greeting her with kind words and a goodly feeling. I have not language at my command to express my thanks and gratitude for your goodness toward my wife and myself. May God bless you; may He bless you more abundantly for your goodness toward Maria. I hope you both may live a long life and a happy one. And when the strong arm comes, bringing the message of Death, may you be prepared to go to that place where there is a never-ending bliss, is my humble and sincere prayer. May God bless you and yours. *Vive, vale.*

I can say that I have been treated kindly by every one about the jail. My best respects to Billy Barker for his kind and goodly treatment.

It is generally customary for persons that commit crime, after being convicted, to make confessions, repent, and ask forgiveness of their God, and to warn the people against such things. I do not offer myself as a pattern of morality to give good counsel to any one, but I would say to every one, particularly to young men, beware of vice and low company. Guard strongly against such things. And if such a thing as an unlawful crime should ever enter your mind, cast it off—get rid of it as soon as possible. Honesty is most undoubtedly the best policy. It may be hard for some to live honest, but stick to it and you will come out right in the end.

CONFESSION
OF
GEORGE BAKER.

The reasons for making this confession are these: First, that Beale, my accomplice in the murder, has written and is now having published a confession of the murder, which is not true in many respects; and I have allowed, through over-persuasion for an object, my name to be used in Beale's statements of the matter, which are false, and I wish to make my peace with my God and tell the truth. The statements of Beale are prepared by himself almost exclusively, and as he has said, were so shaped as to give him an equal show in the sympathies of the people. He expected a commutation of sentence when he first made the confession, and proposed to me to shape it as he has for that purpose. I now wish to make a true statement of the facts in the premises, as the time is too short for a petition to be circulated for a commutation, and as I have borne, in his statement, more of the guilt than is due me. I am now preparing to die and meet my God in peace, if possible, and I have no further hopes of a change of sentence, and no object whatever in making this confession, but to tell things as they are, and let the world know the truth, that they may be benefited thereby. Without repeating what Beale has said, or referring to it further than

what I have, I will, as briefly as possible, say what I know to be the facts in the matter, which are as follows:

About the middle of December last was the first time that anything was said between Beale and myself about robbing old man Delaney. About that time, Beale said to me in his saloon, in Salem, "that he knew where there was an old man that had a great deal of money, and that we could go and get it very easily;" to which I made no reply. A few days after this, I went into his saloon again, when he said that it was old man Delaney he had reference to, and that we could go and rob him and no one would ever know anything about it. I still made no reply to what he said about the matter. Some two days after this time, I was again in his saloon, when he again proposed the same matter, and said that if I would leave the management of the matter to him, we could get the money and never be found out, or that no one would suspect who did it. About this time one of my children was taken very ill, and there was nothing more said about the matter for over a week; but as soon as my child commenced to get better, he again approached me, and wanted to know when I would be able to go with him. I then told him that my child would have to get a great deal better before I could go into such an arrangement. He then said we would have to go pretty soon, or it would be no use to go, as the old man was going to move over to Billy or Davy Delaney's to live, and we would never get it. He still insisted that we were both poor, and, by taking old man Delaney's money, it would give us a start in the world, and we could be somebody. He, at this interview, said that he knew where the money was; that he was very well acquainted with old man Delaney; had had a great deal of business with him; that he was at his house once, packing apples, and struck his hammer against a keg setting under the bed, which sounded like it was full of money; that most of the people believed the old man had his money buried in the ground, but he knew better than

that; that the money was in the house. He also said that he had been out, or was going out, soon, after some butter, and that he had, or was going to, prospect and see where the money was. I do not recollect positively how he made this last statement, but I am sure it was in relation to prospecting, to see where the money was. He further said that he had already poisoned and killed the old man's watch-dog, but that he had got another one from Billy, which was of no account; that he could run him out of the yard with a whistle.

About this time, I was strongly in the notion of enlisting as a soldier, but Beale told me that he had a better thing for me, and persuaded me out of the notion of enlisting. A short time after this interview, Beale went out to his farm, requesting me to come out the next day to avoid suspicion, saying it would not do for us both to go together. I did not go out, nor agree to go out. When Beale came back, he approached me in this style: "You are a ~~d--d~~ pretty fellow, not to come out as you agreed to; to have a man travel there and back for nothing."

Next morning after the last conversation, I called in at Beale's saloon, and I agreed to go with him to Delaney's after his money. We agreed upon this plan: Beale was to go out on Sunday to Mr. Taylor's, and stay over night, and I agreed to meet him next day at Rector's bridge, on Mill creek. On Sunday morning, before leaving, Beale gave me a bottle of whisky, telling me to bring it out next day, and told me to bring some small rope to tie the old man with. After meeting at Rector's bridge, we proceeded to Delaney's, as published heretofore in the OREGON STATESMAN, arriving on the hill, a short distance above Delaney's house, at the place testified to in court where the horse was hitched, at about half-past four, P. M. Beale asked me if I had brought the rope. I told him I had no rope but the one I had for a lass rope on my saddle. Left my horse, went down near the house, sat down in some under-brush in the timber, and watched the maneuvering of the old man, and drank whisky, Beale persuading me to drink plenty of whisky, so that I would have good courage, and then there would be no back out in me.

At this time and place Beale told me that he had been

there four or five times, before that alone, and watched the old man, but could not get a good chance at him, or something of that kind. About half-past five o'clock, Beale and I went back to where the horse was hitched and saw he was all right, and returned immediately; stopping at a pool of water and blacked our faces from some lamp black that Beale took from his pocket. We then proceeded to the house, or gate near the house. Beale then hallooed "halloo," some three or four times, and the old man came out—Beale saying to him that he was a stranger in the country, and had got lost in the hills in trying to find the road to Duncan's, and wished the old man to direct him. At this time it was getting quite dark. As the old man neared us, Beale spoke to me in a low tone of voice, saying two or three times "Shoot," "Shoot," which I did with one barrel of my shot-gun, and the old man fell upon his hands and knees. The dog coming out toward us, I fired the other barrel at him. The old man, in the mean time, got up and started toward the house and fell forward. Beale got over the fence, ran up to the old man and shot twice at him with a pistol. When Beale started for the old man, a little negro boy standing close by, started and ran into the house, locking and fastening the door and taking the dog with him. After shooting him, Beale went to the door of the house and tried to get in, calling at me to "come on." In the mean time I was loading my gun at the gate. At his call for me to "come on," I came up and we both tried to push the door open, but could not. Beale then picked up a log of wood, some three feet long and eight or ten inches through, with which he bursted the door open, and rushed into the house and shot at the little negro boy some three or four times, as he (Beale) afterward told me. Beale in the meantime told me to stay out in the yard and see that nobody came while he looked for money. Beale searched for some time, then came out and told me to go in and look and see if I could find any money. While I was in the house, Beale came to the door and told me to break open the stair door and look up there, which I did. I looked in several boxes, but found no money. I then came down, went out in the yard, and Beale went up stairs. When he came back, he

told me that he could not find anything up there. He told me to go into the kitchen and search there, which I did, getting the key from the little negro boy, but found no money. At this time I did not know whether Beale had got any money or not.

We then left the house and went to where the horse was hitched, as described by witnesses in court. We came to town on same route as sworn to in court by Harpole and others. On our way home, Beale asked me if I had found any money. I told him I had not. I then asked him if he had found any. He said he thought he had some seven or eight hundred dollars, if it was all gold. There was nothing more said about money until we got to the old cabin in Strong's pasture. Here we stopped, tried to wash the black off our faces, and Beale gave me five hundred dollars in gold coin, saying that was half of what money he got. From this place we came a short distance together to a fence, when Beale left me and came on home. I laid the fence down, took my horse through, laid it up again, and came down to Dan the butcher's slaughter house; laid another fence down and up, and went into the slaughter house to find something to tie the money up in; could not find anything, came out, took the lining from my coat sleeve, tied the money up, went up the creek a short distance, and buried the money by an oak stump. I then got my horse, came down and crossed the ford above the foot bridge, and went to the stable, put my horse away, fed him, and started home. I found Beale at the back of my house inquiring for soap to wash with. I went into my house, left my gun, got some soap and a wash pan, went to the well, got some water, went to the bridge of Warner's paint shop, where they take wagons in, and washed there together. Then Beale left me, and I saw no more of him until the next day. After washing, I went into the house and went to bed. There was nothing more of importance until my arrest.

I had no idea that any one suspected me until my arrest. At the preliminary trial I wished to make a full confession of the murder, but was induced not to confess by my attorneys, who said that, if I made a confession, such was the excitement among the people that a

mob would raise and hang me before I could get out of the house where the trial was being held, or to the first sign-post they came to. Caton told me that there would be no trouble about getting clear; that I would have to stay in jail until court met in March, when I would come out all right. The first time my attorneys came to the jail after the preliminary trial, Beale made a confession to them, but did not tell it correctly. In a short time, Caton & Curl came in the jail again, and wanted to know how much money I had got, and where I had put it. I refused to tell them at that time. Caton said they would be obliged to have money to carry on the suit with, or they never could clear me. I still refused to tell them about the money. Caton & Curl came back in a few days again, and said that I surely had money, and that they would have to have it. I then told Caton where the five hundred dollars were that I got from Beale. They then left the jail. Caton came back next day and said he could not find the money; that he would have to have new directions and a diagram showing where the money was, which I gave him, and I also told him that I had three hundred and eighty dollars of my own money buried in my wood-shed. He then said that there were men digging up my wood-shed and looking for money, and if they found it, it would be evidence against me. I told Caton that if he found that money (three hundred and eighty dollars) to give my wife a portion of it, which he did not do. The next time he came back to see me, I asked him if he had found the money, to which he made an affirmative nod of the head, and took me into my cell and told me not to let Beale know anything about it. [I have since sent the sheriff, Dan Delaney, and John Davis to the place where the money was buried, and they found it as I told them, but the money had been taken away.] At this time he told me that he would go to Portland, but he would tell the people that he was going to Yamhill; that he would go by way of French Prairie, and hire a Frenchman and a half-breed to come and swear that they saw me on the 9th of January last, late in the evening, drunk, on French Prairie. In a short time after this, Caton again came to the jail and told me that all was right; that he had hired

a Frenchman and half-breed to swear for me; and said that there was no trouble in hiring witnesses down there; that he could have hired a dozen if he had had the money; and said the only difficulty now would be to get the Frenchman and half-breed to see me in jail, so that they would recognize me in court; and if they could not get to see me in the jail, that he would have a friend of mine to point me out to them in the court house.

I never knew but they would be there and swear as Caton said, until my attorneys said they would rest. I then asked Caton where the two witnesses, that he got on French Prairie, were. He said that they had broken into a store at Fairfield, and he was afraid the prosecuting attorney would recognize them and impeach their evidence. Caton and Logan told me all the while never to make a confession; that the people would hang me and my attorneys too if I did. I told them that there was no chance to get clear, and that I would fare better to make a full confession, and throw myself upon the mercy of the court. They said, no; that they would get me out all right; that it was not me the people were after, but Beale.

Some two weeks before court convened, Beale and I were separated. I was put up stairs, and not permitted to talk to my attorneys privately; but when court met, Logan got an order from the court to see me privately, and came up and had a talk with me; said Beale had been telling him that he had got some thirty thousand dollars, and wanted to know if I knew anything about it. I told him I did not. He asked me if Beale left me at any time on the road home from Delaney's. I told him I thought not; but since, upon reflection, I remember of Beale going through Dutch Adams' field, on foot, while I rode around, and he got a short distance behind me at the creek, this side of V. K. Pringle's, and whistled to me to stop, came up and told me I was riding too fast for him to keep up. He was again separated from me a short distance at Davidson's meadow, but was out of sight only a few moments.

From what I know about the matter, I think the money the attorneys got from Beale was Delaney's money. I saw the old silver dollar that Beale speaks of, the next day after the murder. I would here say to the attorneys, if they

got the five hundred dollars that I told them belonged to Delaney, to give it back to the Delaney boys, as it is justly theirs, and the attorneys have no right to it. And I am sure Caton as good as told me he had got the money. I also think that they ought to give the money they got from Beale back to the Delaney boys, notwithstanding they say that Beale told them it was his own money—which, if he did, he surely was mistaken, or did it for some other purpose. What Beale says now about the money (\$1,400) must be true, as there is no object in him or myself getting into any altercation with our attorneys. It would surely make the matter worse for us to have the attorneys say we were not telling the truth, and we cannot tell the truth without implicating them in the money matter. I hold no malice against my attorneys or any one else. If my attorneys' days were numbered as mine are, they might think somewhat as I do about refunding the money to the Delaney boys.

Right here I wish to say that my wife is entirely innocent of knowing anything of, or having anything to do with, the murder of Delaney. She knew nothing about it until I made a confession. I have committed a great crime, and ought to suffer the penalty of the law, but innocent persons ought not to suffer for the crimes of guilty ones.

I regard my trial as a candid and impartial one, and have no reflection to cast upon the officers of the court, or the jury, or witnesses, except two witnesses on the part of the prosecution, who were mistaken in their testimony.

In conclusion, I will say that my name is George Baker; was born in Ohio; was thirty-two years old on the 3d of July, 1864. My life has been an unsettled one. I came to Oregon in 1852; was married in 1855, and now have four children—three boys and one girl—all living. I have never committed a crime of great magnitude until this one; and yet I have not been a Christian man, but have lived an irreligious life, sometimes indulging in such vices as swearing, drinking, and keeping bad company, and but for my indulgence in intoxicating drinks and visiting the dram-shop, I should never have committed the crime for which I have got to die. And right here I would say to all, and more especially to the young men, to avoid the dram-shop, bad company, and evil practices, if you would avoid the consequences growing out of them.

Since my conviction, I have been reviewing my life, and seeking pardon for my wrong doings, and hope to die in peace with God and man.

I wish to say further that I feel especially grateful to the Sheriff and his wife for their kindness toward me since my arrest and imprisonment; and also thank others for visiting, counseling, and manifesting interest in my future welfare.

I now commend my family, friends, and myself to God.



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